

REMARKS

In the Office Action¹, the Examiner rejected claims 1-4, 8, 9, 12-15, 19-22, and 25-34 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,697,865 to Howard et al. ("Howard"); and rejected claims 5-7, 10, 11, 16-18, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over *Howard* in view of U.S. Patent Application Publication No. 2002/0138331 to Hosea et al. ("Hosea").

By the present amendment, Applicant cancels claims 27, 29, 31, and 33 without prejudice or disclaimer, and amends independent claims 1, 14, 25, and 26. Claims 1-26, 28, 30, 32, and 34 are pending upon entry of this amendment, and the rejections of claims 27, 29, 31, and 33 are rendered moot by their cancellation.

I. Rejection of Claims 1-4, 8, 9, 12-15, 19-22, 25, 26, 28, 30, 32, and 34 under 35 U.S.C. § 102(e)

Applicant respectfully traverses the rejection of the claims as being anticipated by *Howard*. In order to properly establish that *Howard* anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Independent claim 1 recites a method including, among other steps, "importing at least the portion of the context information into the user profile, wherein the imported

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

portion **comprises data belonging to the plurality of types of categorized data such that the imported portion includes at least two types of data belonging to at least two categories** selected from a qualification of the user, a skill of the user, a personal preference of the user . . . and context of the user's participation in the one or more entities" (emphasis added). *Howard* does not disclose or even suggest at least these features of claim 1.

Howard discloses, in relevant part,:

[C]ompany profile can include demographic data; lists of other companies with which the company has a relationship; in some implementations a list of the maximum permissions that users at the company **can be given** in creating or managing the profiles of other users and companies A user profile may include demographic data; **permissions given to the user** to create and manage the profiles of other users and companies; a list of permissions **given to the user** with respect to other objects in the system; a list of preferences of the user for his personal relationship portal; and a list of other users who are allowed to manage the profile of the user. (Emphasis added, col. 4, lines 30-41).

[A] permission (the "perform permission") gives a user the right to perform a specific function offered by a portal application. As suggested in the example shown in FIG. 2, the grant right of a permission (the "grant permission") gives a user the right to grant to other users the perform permission and the grant permission with respect to the application functionality associated with the permission. The grant and perform permissions are **represented by flags in the profiles stored** in the portal management database. As shown in FIG. 2, user A's grant permission 100 **enables** user A to grant perform permission 102 to user B. (Emphasis added, col. 7, lines 43-53).

Thus, in *Howard*, user profiles are **given** permissions based on the permissions assigned to the user's company. As noted above, these permissions are given by enabling flags in user profiles. Such a disclosure, however, does not teach or even

suggest importing context information “wherein the imported portion comprises data belonging to the plurality of types of categorized data such that the imported portion includes at least two types of data belonging to at least two categories,” (emphasis added) as recited in claim 1. This is because *Howard* merely gives permissions by enabling flags based on flags in a company profile but does not import at least a portion of any context information into the user profile.

Even if enabling flags in a user profile in *Howard* could constitute the claimed “importing” and the demographic data, and permissions and preferences of *Howard* could constitute the claimed “plurality of types of categorized data,” *Howard* still would not teach or even suggest the claimed user profile where an imported portion “comprises data belonging to the plurality of types of categorized data such that the imported portion includes at least two types of data belonging to at least two categories,” as further recited in claim 1. This is because the permissions of *Howard* only constitute at most one type of data and permission.

The Office Action cites column 4, lines 29-40 of *Howard* as allegedly disclosing the claimed “imported portion.” (Office Action, page 9). This, however, is not correct. As noted above, the cited portion of *Howard* states that a company profile includes demographic data, lists of other companies, a list of the maximum permissions, etc., and that the user profile may include demographic data, permissions given to the user, a list of permissions, etc. Importantly *Howard* does not disclose that the information in the user profile is imported from the company profile but instead *Howard* simply discloses that permissions are given to user profiles. Permissions of *Howard* cannot constitute the claimed “imported portion of the context information” because the

permissions of *Howard* do not **comprise** data selected from the **plurality of types of categorized data**. The permission in *Howard* is just one type of data and not a "plurality of types of categorized data," as recited in claim 1.

Moreover, the permission in *Howard* does not belong to at least **two categories** "based on qualifications of the user, skills of the user, personal preferences of the user, authorization level of the user, group memberships of the user, informational needs of the user, projects of the user, tasks of the user, taxonomies of the one or more entities, content accessed by the user, and context of the user's participation in the one or more entities," as recited in claim 1. Therefore, *Howard* does not teach or even suggest "**importing** at least the portion of the context information into the user profile, wherein the imported portion **comprises** data belonging to the **plurality of types of categorized data such that the imported portion includes at least two types of data belonging to at least two categories** selected from qualifications of the user, skills of the user, personal preferences of the user . . . and context of the user's participation in the one or more entities," (emphasis added) as recited in independent claim 1.

Accordingly, for at least these reasons *Howard* cannot anticipate claim 1 and the rejection of claim 1 should be withdrawn.

Independent claims 14, 25, and 26 while of different scope, recite features similar to those of claim 1 and are thus allowable over *Howard* for at least similar reasons to those discussed above for claim 1. The remaining claims rejected as anticipated by *Howard* are also allowable at least due to their dependence from one of the independent claims.

Accordingly, for at least the reasons noted above, the rejection under 35 U.S.C. § 102(e) is improper and should be withdrawn.

II. Rejection of Claims 5-7, 10, 11, 16-18, 23, and 24 under 35 U.S.C. § 103(a)

Applicant respectfully traverses the rejection of claims 5-7, 10, 11, 16-18, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over *Howard* in view of *Hosea*, because a *prima facie* case of obviousness has not been established.

Claims 5-7, 10, 11, 16-18, 23, and 24 depend from one of independent claims 1 or 14, and thus include all features of claims 1 or 14. *Hosea* fails to remedy the above-noted deficiencies of *Howard* with respect to independent claims 1 and 14. Consequently, any proper combination of *Howard* and *Hosea* does not present a *prima facie* case of obviousness with respect to claims 1 and 14, and therefore dependent claims 5-7, 10, 11, 16-18, 23, and 24 are allowable.

Accordingly, for at least the above-noted reasons, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection is respectfully requested.

CONCLUSION

In view of the foregoing, Applicant requests the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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